

## DEPARTMENT OF AGRICULTURE

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FLOOD CONTROL COORDINATING COMMITTEE  
Room 2018 - South Building  
Washington

January 13, 1937.

TO: FIELD LIAISON REPRESENTATIVES.

SUBJECT: Public Hearings - Flood Control Act, Public 738.

1. References: There are attached (1) letter from the Secretary of Agriculture dated January 7, 1937 to the Chief of the Forest Service and the Chief of the Soil Conservation Service authorizing officials of these bureaus to represent the Department in the field in the preliminary development of the flood control program under the Act of June 22, 1936; (2) circular letter of January 7, 1937 giving the Departmental organization under the Flood Control Act and the Army Engineer Districts and projects within the liaison areas; (3) address list of the Corps of Engineers, War Department; (4) the Flood Control Act of June 22, 1936, Public No. 738; (5) War Department map (in part) dated November 1, 1934, giving the divisions and the districts of the Corps of Engineers, and the location of the projects (separate cover); (6) Chapter V, Orders and Regulations of the Corps of Engineers, War Department, 1933.
2. It is the general policy of the War Department to hold public hearings on flood control projects; in some cases these hearings are required by law. The hearings are of value to develop the views and suggestions of local interests and serve to supplement basic information obtained in the preliminary examinations, and are particularly desirable where the law requires local cooperation as is the case under Section 6 of the Flood Control Act. The cooperation legally required under this Act is confined to those flood control measures for which the War Department is responsible. It will be appreciated, however, that since effective measures of soil and water conservation cannot be applied by the Department of Agriculture without cooperation where private lands are involved, the degree of voluntary local cooperation that may be expected from land owners and operators is of particular interest. (See section on public hearings, page 84, Chapter V, Orders and Regulations, Corps of Engineers, War Department, 1933).
3. A number of projects authorized under the provisions of Public 738 have been previously authorized in other War Department legislation. Preliminary field examinations and public hearings are now underway and some have been completed. The War Department reports of these examinations will be made available by the District Engineers for the confidential information of the liaison representatives of the Department of Agriculture. A list of the examinations that have been completed and the hearings that have been held may be obtained from the

(Over)

District Engineer. While the Department of Agriculture must complete preliminary examinations for these projects, it may or may not be necessary to hold public hearings to supplement those already held by the War Department; this can only be determined in the light of the War Department's reports and after the preliminary examinations of the watersheds by the Department of Agriculture have developed sufficient facts.

4. The preliminary examinations of projects by the Corps of Engineers, other than those which have been authorized in previous War Department legislation, will be undertaken by the War Department when funds are specifically appropriated under Section 9 of Public 738. For your confidential information it may be stated that the Budget Bureau has approved an appropriation for preliminary examinations and surveys, including the allocation of half of the sum to the War Department and half to the Department of Agriculture. This appropriation will probably be a part of the Deficiency Bill, the funds to be available immediately and until expended. It is hoped that funds will be available in February, and, with that in mind, the War Department requests that the liaison representatives of the Department confer as soon as possible with the appropriate District Engineers and establish mutually agreeable dates and locations for public hearings on the projects authorized under Section 6 of the Act. It is planned to complete the preliminary examinations and hearings of the entire program within the calendar year.

5. The initiative and the responsibility for the formal announcement, arrangements, general conduct and general expenses of joint public hearings will remain with the War Department as at present. The liaison representative of the Department of Agriculture will, in consultation with the District Engineer, lend all possible assistance, such as additional stenographic help where a report of proceedings is considered desirable, etc. Expenses for the travel and subsistence of Department of Agriculture personnel will be charged to the appropriate allotments of their respective bureaus.

6. Where it is found desirable to hold public hearings in those watersheds where hearings have already been held by the War Department, or in the upper portion of watersheds where the War Department may not be particularly interested in a public hearing, separate public hearings may be undertaken in agreement with the District Engineer. The initiative, responsibility and expense of such hearings will rest upon the Department of Agriculture. Funds to meet such expenses will need to await the appropriation for flood control.

7. Public hearings are generally scheduled by the War Department as soon as it has sufficient basic facts to bring out the problems involved within a particular watershed. As far as the Department of Agriculture is concerned, it may not be necessary to await the completion of the preliminary field examination of a given watershed, as in a number of cases there is available sufficient information in several bureaus of the Department of Agriculture to permit public hearings to be held on a number of watersheds as soon as convenient for the War Department.

8. The time and place of the public hearings should meet the needs and interests of both Departments. The Department of Agriculture is interested primarily in land use practices within the watershed, and the modifications or adjustments that should be made in the interest of a soil and water conservation program. For this reason, particularly where large watersheds are involved, public hearings may need to be held designed particularly to meet the interest of farming, forestry, wildlife, and other groups and individuals in the field of agriculture and conservation.

9. When a schedule for hearings in a given watershed has been established, copies should be immediately and directly furnished this office and invitations should be forwarded immediately to field representatives of the interested bureaus of the Department of Agriculture. A list of authorized bureau representatives will be furnished by this office. In most cases a representative of the Bureau of Agricultural Economics, the Forest Service, and the Soil Conservation Service should be present; in many cases this will be sufficient representation.

10. The Department of Agriculture liaison representatives should issue announcements of public hearings to all agricultural and conservation groups within the watershed, to County and State officials not included in the invitations of the War Department, the officials of the State Agricultural Colleges and Experiment Stations, and to other interested groups or individuals.

11. The liaison representative will be the representative of the Department of Agriculture at the hearings; other officials of the Department of Agriculture, if present, will be considered representatives of their respective bureaus. The liaison representative may designate an alternate to serve in his absence, who should be, whenever possible, an official of the Bureau of Agricultural Economics, the Forest Service, or the Soil Conservation Service.

12. The liaison representative will be responsible for the conduct of that portion of the hearing which directly affects the responsibilities of the Department of Agriculture. He should ascertain well in advance of the hearing, and in writing, any questions or phases of interest from representatives of the interested bureaus of the Department of Agriculture. These bureau representatives, if present, should be invited to participate actively in asking pertinent questions designed to afford opportunity to obtain the opinions of the local people with respect to a soil and water conservation program; to bring out points of view, or to give factual information, or to lead to information supplementing that obtained or to be obtained in the preliminary field examinations. Any facts presented, should of course, be carefully weighed. It will be important as well to develop any local interest in effective measures of cooperation. It is again emphasized that the success of a watershed management plan, from the standpoint of this Department, will largely rest upon the cooperation of land owners and operators.

13. Liaison representatives of the Department or representatives of bureaus will avoid entering into any controversy at the time of these hearings respecting the influence of soil and vegetative cover on flood conditions. If any questions are asked, designed to provoke such controversy, the statement will be made by the liaison representative that the opinion of the Department will be withheld until field examinations have been completed for the particular watershed involved.

14. A brief letter report will be made following each hearing; giving those in official attendance on behalf of the War Department and the Department of Agriculture, group representation or individuals taking part in the development of statements, and a general summary of the statements presented. The original report and three copies will be sent directly to the Flood Control Coordinating Committee, Room 2018, South Building, Washington, D. C. Copies will be distributed by the Committee to the Bureaus concerned in Washington.

15. The liaison officer will be responsible for obtaining local cooperation of the various bureaus and agencies of the Department and where desirable, will develop such local organization within the Department as will effectuate such cooperation. A first step in such cooperation would be for representatives of the Bureau of Agricultural Economics, the Forest Service, and Soil Conservation Service to get together on a regional basis.

16. Information as to the character of the preliminary examinations and procedures thereunder will follow.

FLOOD CONTROL COORDINATING COMMITTEE

By: A. C. Ringland  
A. C. Ringland, Chairman.

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January 7, 1937.

MEMORANDUM TO: Dr. H. H. Bennett,  
Chief, Soil Conservation Service.

Mr. F. A. Silcox,  
Chief, Forest Service.

The War Department has suggested that representatives of the Department of Agriculture confer with their District Engineers with a view to effecting mutually agreeable dates and locations for public hearings on projects authorized under Section 6 of the Flood Control Act of June 22, 1936.

Upon the recommendation of the Flood Control Coordinating Committee the officials designated in the attached list are authorized to represent the Department and to maintain general liaison with the District Engineers of the War Department. May I ask that action be taken respectively to notify these officials of their authority?

The Flood Control Coordinating Committee will issue a memorandum on the duties of the liaison representatives.

Sincerely yours,

/s/ H. A. WALLACE  
Secretary

CC to Dr. A. G. Black (BAE)



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UNITED STATES DEPARTMENT OF AGRICULTURE

FLOOD CONTROL COORDINATING COMMITTEE  
Room 2018 - South Building  
Washington

January 7, 1937.

MEMORANDUM FOR CHIEFS OF BUREAUS:

Under the Flood Control Act of June 22, 1936, Public 738, The Secretary of War is authorized and directed to undertake preliminary examinations and surveys for flood control upon a specified list of 222 waterways; the Secretary of Agriculture is authorized and directed to undertake preliminary examinations and surveys for runoff and waterflow retardation and soil erosion prevention on the watersheds of these streams. In order to correlate the activities of the bureaus of the Department of Agriculture which will participate in the development of the flood control program and to maintain liaison with the War Department, the Secretary has authorized the following organization:

ADVISORY COMMITTEE:

A. G. Black	- Chief, Bureau of Agricultural Economics.
F. A. Silcox	- Chief, Forest Service.
H. H. Bennett	- Chief, Soil Conservation Service.
M. S. Eisenhower	- Office of the Secretary, Chairman.

COORDINATING COMMITTEE:

C. I. Hendrickson	- Bureau of Agricultural Economics.
E. N. Munns	- Forest Service.
A. C. Ringland	- Soil Conservation Service, Chairman.

BUREAU LIAISON REPRESENTATIVES:

F. F. Elliott	- Agricultural Adjustment Administration.
C. I. Hendrickson	- Bureau of Agricultural Economics.
G. R. Boyd	- Bureau of Agricultural Engineering.
J. C. Salyer	- Bureau of Biological Survey.
C. E. Kellogg	- Bureau of Chemistry and Soils.
S. A. Rohwer	- Bureau of Entomology and Plant Quarantine.
E. N. Munns	- Forest Service.
F. R. Kenney	- Resettlement Administration.
A. L. Patrick	- Soil Conservation Service.
P. M. Glick	- Solicitor's Office.
C. C. Clark	- Weather Bureau.

(See Memorandum of February 23, 1937 on Field Coordinating Committees)



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WAR DEPARTMENT  
Office, Chief of Engineers  
Washington

E. D. Form 87a

Address List

OFFICES OF THE ENGINEER DEPARTMENT, U.S.ARMY.

DISTRICT OFFICES (PURCHASING)

Address mail to:

THE DISTRICT ENGINEER, U. S. ENGINEER OFFICE,

Baltimore, Md.	332 Post Office Building
Boston, Mass.	13th Floor, Customhouse.
Buffalo, N.Y.	540 Federal Building.
Charleston, S.C.	33 Customhouse.
Chicago, Ill.	932 New Post Office Building, Canal & Van Buren Streets PO Box 827 - Rm.702 Federal Bldg. N.E.Corner 8th & Walnut Sts.
Cincinnati, Ohio	Post Office
Conchas Dam, New Mexico	605 Federal Building.
Detroit, Mich.	Engineer Building, Canal Park Administration Building.
Duluth, Minn.	Trust Co. Bldg., P.O. & Tremont Sts.
Fort Peck, Mont.	214 Federal Building
Galveston, Texas	P.O. Box 545, Chesapeake & Ohio Bldg.
Honolulu, Hawaii	240 U.S. Court House and P.O.
Huntington, W.Va.	232 Mfgs. Exchange Bldg.
Jacksonville, Fla.	649 Federal Bldg.
Kansas City, Mo.	Rms. 527-533, 751 S. Figueroa St.
Lake Survey, Detroit, Mich.	P.O. Box 59. -Rm.433 Federal Bldg.
Los Angeles, Calif.	P.O. Box 97 (Office, West Memphis, Ark.)
Louisville, Ky.	P.O. Drawer 744 - 408 Federal Bldg.
Memphis, Tenn.	Piedmont Building
Milwaukee, Wisc.	P.O. Box 1169; 504 U.S.Courthouse& Customhouse
Mineral Wells, Texas	322 Customhouse, P.O. Box 1070
Mobile, Alabama	Rm. 604 Union Bldg., 837 Gravier St. Foot of Prytania St.
Nashville, Tenn.	710 Army Bldg., 39 Whitehall St.
New Orleans, La.	615 Army Bldg., 39 Whitehall St.
First District	615 Army Bldg., 39 Whitehall St.
Second District	Norfolk, Va.
New York, N.Y.	415 P.O. and Courthouse
First District	819 City National Bank Bldg.
Second District	900 Customhouse, 2d & Chestnut Sts.
Puerto Rico District	925 New Federal Bldg.
Omaha, Nebraska	306 Customhouse(also in Pittock Block)
Philadelphia, Pa.	627 Pittock Block, West 9th & Alder Sts.
Pittsburgh, Pa.	419 New Federal Bldg.
Portland, Oregon	Clock Tower Bldg.
First District	P.O.Box 1228, 208 Post Office Bldg.
Second District	(P.O. Frawer T, Plaza Station) 816 U.S.C.H.&Gu.H.
Providence, R.I.	P.O. Box 555, 615 Commerce Bldg.
Rock Island, Ill.	401 Customhouse.
Sacramento, Calif.	Post Office Bldg.
St.Louis, Mo.	754 Central Bldg., 800 Third Ave.
St.Paul, Minn.	308 P.O. Bldg., P.O. Drawer 667
San Francisco, Calif.	1063 Navy Bldg.
Savannah, Ga.	308 Customhouse
Seattle, Washington	422-426 Main St., First Natl.Bank Bldg.
Vicksburg, Miss.	
Washington, D.C.	
Wilmington, N.C.	
Zanesville, O.	

### DIVISION OFFICES

Address mail to: THE DIVISION ENGINEER

North Atlantic Division, 1708 Maritime Exchange Bldg.,  
80 Broad St., New York City, N. Y.  
South Atlantic Division, 1415 Central National Bank Bldg.,  
Richmond, Va.  
Great Lakes Division, 419 Federal Bldg., Cleveland, Ohio.  
Gulf of Mexico Division, 412 Masonic Temple,  
333 St. Charles Street, New Orleans, La.  
Missouri River Division, 707 Postal Telegraph Bldg.,  
Kansas City, Mo.  
Ohio River Division, 1420 Enquirer Bldg., (P.O. Box 859)  
Cincinnati, Ohio.  
Upper Mississippi Valley Division, Rm. 829, U. S. Court  
House and Custom House, P.O. Box U, Plaza Station,  
St. Louis, Mo.  
Lower Mississippi Valley Division, P.O. Box 665,  
Vicksburg, Miss.  
North Pacific Division, #523 Pittock Block,  
West Ninth & Stark Sts., Portland, Oregon.  
South Pacific Division, 414 Customhouse, San Francisco,  
California.

### BOARDS

Address mail to: Board of Engineers for Rivers and Harbors, 2848 Munitions  
Bldg., Washington, D. C.  
Boston Harbor Line Board, 13th Floor Customhouse,  
Boston, Massachusetts.  
Interoceanic Canal Board, 2751 Munitions Bldg.,  
Washington, D. C.  
San Francisco Harbor Line Board, 401 Customhouse,  
San Francisco, California.  
The Engineer Board, Fort Belvoir, Virginia.

### COMMISSIONS

Address mail to: California Debris Commission, Post Office Box 1228,  
208 Post Office Bldg., Sacramento, Calif.  
Mississippi River Commission, P.O. Box 665, Vicksburg,  
Mississippi.  
Permanent International Commission, Congresses of  
Navigation, 2848 Munitions Bldg., Washington, D. C.

### MISCELLANEOUS OFFICES

Address mail to: Engineer Commissioner of the District of Columbia,  
Municipal Bldg., Washington, D. C.  
Supervisor of New York Harbor, 39 Whitehall Street,  
Army Bldg., New York City, N. Y.

MILITARY OFFICES

Address mail to: THE DEPARTMENT ENGINEER

Hawaiian Department, Headquarters, Ft. Shafter, Hawaii  
Panama Canal Department, Corozal, Canal Zone  
Philippine Department, Ft. Santiago, Manila, P. I.

Address mail to: THE CORPS AREA ENGINEER

First Corps Area, Army Base, Boston 9, Mass.  
Second Corps Area, Fort Jay, Governors Island, N.Y.  
Third Corps Area, U.S.P.O. & Court House, Baltimore, Md.  
Fourth Corps Area, Old P.O. Bldg., Atlanta, Georgia.  
Fifth Corps Area, Ft. Hayes, Columbus, Ohio.  
Sixth Corps Area, 948 New P.O. Bldg., Chicago, Illinois.  
Seventh Corps Area, Federal Bldg., 15th and Dodge Streets,  
Omaha, Nebraska.  
Eighth Corps Area, Ft. Sam Houston, Texas.  
Ninth Corps Area, Presidio of San Francisco, California.

Address mail to: THE COMMANDING OFFICER

First Engineers, Fort DuPont, Delaware  
Second Engineers, Ft. Logan, Colorado  
Third Engineers, Schofield Barracks, Hawaii  
Fourth Engineers, Co. "A", Ft. Benning, Georgia  
Fifth Engineers, Ft. Belvoir, Va.  
Sixth Engineers, Ft. Lawton, Washington  
Sixth Engineers, Hdqrs. Second Bn., Ft. Lewis, Washn.  
Eighth Engineers, Ft. McIntosh, Texas  
Ninth Engineers, Troop "A", Ft. Riley, Kansas  
Eleventh Engineers, Corozal, Canal Zone  
Fourteenth Engineers, Ft. Wm. McKinley, Rizal, P.I.  
Twenty-Ninth Engineers, Port Angeles, Washington

Address mail to: THE COMMANDANT

The Engineer School, Ft. Belvoir, Virginia

Address mail to: THE OFFICER IN CHARGE

The Engineer Reproduction Plant, Office, Chief of Engineers,  
Munitions Bldg., Washington, D.C.

Address mail to: ENGINEER SUPPLY OFFICER, ENGINEER SECTION,  
Columbus General Depot, Columbus, Ohio.  
Eighth Corps Area General Depot, Ft. Sam Houston, Texas.  
Hawaiian Engineer Depot, Schofield Barracks, T.H.  
New York General Depot, 58th St. & 1st Ave., Brooklyn, N.Y.  
Panama General Depot, Corozal, Canal Zone.  
Philippine Engineer Depot, Port Area, Manila, P.I.  
San Francisco General Depot, Ft. Mason, San Francisco, Calif.  
Schenectady General Depot, Schenectady, N.Y.

ENGINEER PROCUREMENT DISTRICTS (See note)

CHICAGO	District Engineer, U. S. Engineer Office, 1203 Post Office Building, Chicago, Ill.
NEW YORK	District Engineer, U. S. Engineer Office, 710 Army Bldg., 39 Whitehall St., New York City, N.Y.
PHILADELPHIA	District Engineer, U.S. Engineer Office, 900 Customhouse, 2nd and Chestnut Sts., Philadelphia, Pa.
PITTSBURGH	District Engineer, U. S. Engineer Office, 1014 New Federal Building, Pittsburgh, Pa.
SAN FRANCISCO	District Engineer, U.S. Engineer Office, 408 Customhouse, San Francisco, California.
BIRMINGHAM	District Engineer, U.S. Engineer Office, 212 Wilson Building, Mobile, Alabama.

NOTE      Mark letters    "PROCUREMENT PLANNING"

CHRONOLOGICAL LIST OF LAWS  
IN FORCE WHICH AUTHORIZE THE DEPARTMENT  
OF AGRICULTURE OR CERTAIN OF ITS AGENCIES  
TO ENGAGE IN FLOOD CONTROL WORK OR TYPES  
OF WORK WHICH MAY CONTRIBUTE TO  
FLOOD CONTROL

Prepared by the Office of the Solicitor for  
the Flood Control Coordinating Committee



FLOOD CONTROL COORDINATING COMMITTEE  
Room 2020 - South Building

January 25, 1937

MEMORANDUM TO: Mr. M. G. White,  
Solicitor

It would greatly facilitate the work of the Flood Control Coordinating Committee if we could have a list of the various Acts of Congress now in force which have authorized any of the bureaus or agencies of the Department of Agriculture to carry on any type of flood control work or any type of work on the water-sheds of streams which can contribute to flood control.

I shall appreciate your having such a list prepared and submitted to me.

Sincerely yours,

A. C. Ringland, Chairman  
Flood Control Coordinating Committee

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UNITED STATES DEPARTMENT OF AGRICULTURE  
OFFICE OF THE SOLICITOR  
Washington, D.C.

January 29, 1937

MEMORANDUM FOR MR. A. C. RINGLAND,  
Chairman, Flood Control Coordinating Committee.

Dear Mr. Ringland:

In reply to your memorandum request of January 25, there is submitted herewith a chronological list of laws of Congress, now in force, which authorize the Department of Agriculture or certain of its bureaus or agencies to carry on flood control work or types of work which may contribute to flood control.

Very truly yours,

*Wastin G. White*  
Solicitor.

Attachment.

- (1) "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army and to transfer the Weather Service to the Department of Agriculture." (October 1, 1890, c. 1266, 26 Stat. 653, 15 U.S.C.A. 311 seq.)

The Act provides that the Chief of the Weather Bureau "shall have charge of the forecasting of weather, the issue of storm warnings, the display of weather and flood signals for the benefit of agriculture, commerce, and navigation, the gauging and reporting of rivers," etc. (Sec. 3)

"An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes." (June 4, 1897, c. 2, 30 Stat. 11; see 16 U.S.C.A. 475.)

Under that part of the Act authorizing appropriations for the Department of the Interior it is provided that "No public forest reservation shall be established except to improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timbers for the use and necessities of citizens of the United States; but it is not the purpose or intent of these provisions or of the Act providing for such reservations, to authorize the inclusion therein of lands more valuable for the mineral therein, or for agricultural purposes, than for forest purposes." (30 Stat. 35.)

"An Act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture." (February 1, 1905, c. 268, 33 Stat. 628, 16 U.S.C.A. 472.)

The Act provides "That the Secretary of the Department of Agriculture shall, from and after the passage of this Act, execute or cause to be executed all laws affecting public lands heretofore or hereafter reserved under the provisions of section twenty-four of the Act entitled 'An Act to repeal the timber-culture laws, and for other purposes,' approved March third, eighteen hundred and ninety-one. [26 Stat. 1103, 10 U. S. C. A. 471] and Acts supplemental to and amendatory thereof, after such lands have been so reserved, excepting such laws as affect the surveying, prospecting, locating, appropriating, entering, relinquishing, reconveying, certifying, or patenting of any of such lands." (Sec. 1.)

(2) Weeks Forest Purchase Law

"An Act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for

the acquisition of lands for the purpose of conserving the navigability of navigable rivers." (March 1, 1911, c. 186, 36 Stat. 901, 16 U.S.C.A. 513 seq.)

- (1) The consent of Congress is given to the States to enter into agreements or compacts with one another for the purpose of conserving the forests and the water supply. (Sec. 1)
- (2) The National Forest Reservation Commission is established, consisting of the Secretary of War, the Secretary of Interior, the Secretary of Agriculture, two members of the Senate and two members of the House of Representatives. The Commission is authorized to consider and pass upon lands recommended for purchase, as provided in the Act, and to fix the price or prices at which such lands may be purchased. (Sec. 4)
- (3) The Secretary of Agriculture is authorized and directed to examine, locate and recommend for purchase such lands as in his judgment may be necessary to the regulation of the flow of navigable streams and to report to the National Forest Reservation Commission the results of such examinations, provided that before any lands are purchased by the National Forest Reservation Commission said lands shall be examined by the Geological Survey and a report made to the Secretary of Agriculture, showing that the control of such lands will promote or protect the navigation of streams on whose watersheds they lie. (Sec. 6, amended by Sec. 6 of Act of June 7, 1924, c. 348, 43 Stat. 653, 16 U.S.C.A. 504 seq.)
- (4) The Secretary of Agriculture is authorized to purchase, in the name of the United States, such lands as have been approved for purchase by the National Forest Reservation Commission at the price or prices fixed by said commission. (Sec. 7)
- (3) "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes." (March 1, 1917, c. 144, 39 Stat. 948, 33 U.S.C.A. 701 seq.)

The Act states that all examinations and surveys of projects relating to flood control shall include a comprehensive study of the watershed or watersheds, and provides that "the heads of the several departments of the Government may, in their discretion, and shall upon the request of the Secretary of War, detail representatives from their respective departments to assist the Engineers of the Army in the study and examination of such watersheds, to the end that duplication of work may be avoided and the various agencies of the Government economically coordinated therein". (Sec. 3)

(4) Clarke-McNary Act

"An Act to provide for the protection of forest lands, for the re-forestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor." (June 7, 1924, c. 348, 43 Stat. 653; 16 U.S.C.A. 504 seq.)

- (1) If the Secretary of Agriculture finds that the system and practice of forest fire prevention and suppression provided by any State adequately protects the timbered and cut-over lands therein, he is authorized to cooperate with the officials of such State, and through them with private and other agencies therein, in the protection of timbered and forest-producing lands from fire. (Sec. 2)
  - (2) Section 6 of the Act of March 1, 1911 (36 Stat. 901) is amended to authorize and direct the Secretary of Agriculture to examine, locate and recommend for purchase such forested, cut-over or denuded lands within the watersheds of navigable streams as in his judgment may be necessary to the regulation of the flow of navigable streams or for the production of timber and to report to the National Forest Reservation Commission the results of such examination. (Sec. 6)
  - (3) The Secretary of Agriculture is authorized to ascertain and determine the location of public lands chiefly valuable for stream-flow protection or for timber production, which can be economically administered as parts of national forests, and to report his findings to the National Forest Reservation Commission, and if the commission shall determine that the administration of said lands by the Federal Government will protect the flow of streams used for navigation or for irrigation or will promote a future timber supply, the President shall lay the findings of the commission before Congress. (Sec. 8)
- (5) "An Act for the control of floods on the Mississippi River and its tributaries, and for other purposes." (May 15, 1928, c. 509, 45 Stat. 534, 33 U.S.C.A. 702b seq.)

The Act is concerned chiefly with authority granted to the Secretary of War, but it does provide, "That the President shall proceed to ascertain through the Secretary of Agriculture and such other agencies as he may deem proper, the extent to and manner in which the floods in the Mississippi Valley may be controlled by proper forestry practice." (Sec. 10)

(6) McSweeney-McNary Act

"An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full

use for timber growing, and other purposes of forest lands in the United States, including farm woods lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest reforestation, timber growing, protection, utilization, forest economics, and related subjects, and for other purposes." (May 22, 1928, c. 678, 45 Stat. 699, 16 U.S.C.A. 581 seq.)

The Secretary of Agriculture is authorized and directed to conduct investigations, experiments and tests in order to determine, demonstrate and promulgate the best methods of reforestation and of growing, managing, and utilizing timber, forage, and other forest products, of maintaining favorable conditions of water flow and the prevention of erosion, etc. (Sec. 1)

- (7) "An Act for the relief of unemployment through the performance of useful public work, and for other purposes." (March 31, 1933, c. 17, 48 Stat. 22, 16 U.S.C.A. 585 seq.)

- (1) The President is authorized, "by utilizing such existing departments or agencies as he may designate, to provide for employing citizens of the United States who are unemployed, in the construction, maintenance and carrying on of works of a public nature in connection with the reforestation of lands belonging to the United States or to the several States which are suitable for timber production, the prevention of forest fires, floods and soil erosion, \* \* \* Provided, That the President may in his discretion extend the provisions of this Act to lands owned by counties and municipalities and lands in private ownership, but only for the purpose of doing thereon such kinds of cooperative work as are now provided for by Acts of Congress in preventing and controlling forest fires and the attacks of forest tree pests and diseases and such work as is necessary in the public interest to control floods." (Sec. 1)
- (2) The authority of the President under this Act was to terminate two years after the date of its passage, but that authority was extended to March 31, 1937 by Joint Resolution of April 8, 1935 (c. 48, 49 Stat. 115, 15 U.S.C.A. 728 note)
- (3) The Civilian Conservation Corps was established by executive order of the President under authority of this Act. (Sec. 16 U.S.C.A. 585 note)

- (8) Soil Conservation and Domestic Allotment Act.

"An Act to provide for the protection of land resources against soil erosion, and for other purposes." (April 27, 1935, c. 85 49 Stat. 163, 16 U.S.C.A. 590a seq.)

- (1) The Act, which authorized the Secretary of Agriculture to establish the Soil Conservation Service, declares it "to be the policy of Congress to provide permanently for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public health, public lands and relieve unemployment". (Sec. 1)
- (2) As a condition to extending any benefits under this Act to any lands not owned or controlled by the United States the Secretary of Agriculture may require the enactment of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion. (Sec. 3)
- (9) "An Act to facilitate the control of soil erosion and for flood damage originating upon lands within the exterior boundaries of the Uinta and Wasatch National Forests, Utah." (August 26, 1935, c. 691, 49 Stat. 866).

Authorizes the Secretary of Agriculture to acquire by purchase lands in the Uinta and Wasatch National Forests, in the State of Utah, in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage.

(10) Fulmer Act

"An Act to authorize cooperation with the several States for the purpose of stimulating the acquisition, development, and proper administration and management of State forests and coordinating Federal and State activities in carrying out a national program of forest land management, and for other purposes." (August 29, 1935, c. 808, 49 Stat. 963, 16 U.S.C.A. 567 seq.)

- (1) The Secretary of Agriculture is authorized "to enter into cooperative agreements with appropriate officials of any State or States for acquiring in the name of the United States, by purchase or otherwise, such forest lands within the cooperating State as in his judgment the State is adequately prepared to administer, develop, and manage as State forests in accordance with the provisions of this Act." (Sec. 1)
- (2) No such agreement may be entered into with any State, or any land turned over to a State for administration, development and management unless such State complies in a manner satisfactory to the Secretary of Agriculture with certain conditions set forth in the Act, among which are the following:
  - (a) The State must provide by law for the reversion of title to the State or a political unit

thereof of tax-delinquent lands and for blocking into State or other public forests the areas which are more suitable for public than private ownership, and which in the public interest should be devoted primarily to the production of timber crops and for the maintenance of forests for watershed protection.

- (f) "The State shall prepare such standards of forest administration, development, and management as are necessary to insure maximum feasible utility for timber production and watershed protection, and are acceptable to the Secretary of Agriculture and shall apply the same to lands acquired and placed under the jurisdiction of the State pursuant to this Act."
- (g) "That with the exception of such Federal expenditures as may be made for unemployment relief, the State shall pay without assistance from the Federal Government the entire future cost of administering, developing, and managing all forest lands acquired and over which it has been given jurisdiction under this Act."
- (h) Provision is made for the purchase of such lands from the United States by the States concerned. (Sec. 2)

(11) Soil Conservation and Domestic Allotment Act (addition to)

"An Act to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes." (February 29, 1936, c. 104, 49 Stat. 1148, 16 U.S.C.A. 590g seq.)

- (1) It is declared to be the purpose of the Act, among other things, to secure "the protection of rivers and harbors against the results of soil erosion in aid of maintaining the navigability of waters and water courses and in aid of flood control". (Sec. 7a)
- (2) No State is entitled to payments under the Act unless it submits to the Secretary of Agriculture a satisfactory State plan to effectuate the purposes of the Act. (Sec. 7c)

(12) "An Act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes." (June 4, 1936, c. 489, 49 Stat. 1421)

Weather Bureau - for "the gauging and measuring of the flow of rivers and the issuing of river forecasts and warnings". (p. 1428)

Forest Service - "to pay all expenses necessary to protect, administer, and improve the national forests, including tree planting in the forest reserves to prevent erosion, drift, surface wash and soil waste and the formation of floods". (p. 1436)

"For the acquisition of land in accordance with the provisions of the Act entitled 'An Act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Uinta and Wasatch National Forests, Utah".

Bureau of Agricultural Engineering - "for investigating and reporting upon the utilization of water in farm irrigation and the best methods to apply in practice; the different kinds of power and appliances; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations and laws affecting irrigation; snow surveys and forecasts of irrigation water supplies, and the drainage of farms and of swamps and other wet lands which may be made available for agricultural purposes", etc.

Soil Conservation Service - "For carrying out preventive measures to conserve soil and moisture; including such special measures as may be necessary to prevent floods and the siltation of reservoirs". (p. 1455)

- (13) "An Act to amend the Act entitled 'An Act for the control of floods on the Mississippi River and its tributaries and for other purposes', approved May 15, 1928." (June 15, 1936, c. 548, 49 Stat. 1508, 33 U.S.C.A. 702a-1 seq.)

The Act authorizes the Secretary of War to purchase flowage rights and rights-of-way in floodways for the purpose of assisting in the construction of dams and levees and provides further, "That if the Secretary of Agriculture shall determine to acquire any of the properties within the floodways herein referred to, for national forests, wildlife refuges, or other purposes of his Department, the Secretary of War may, upon recommendation by the Chief of Engineers, in lieu of acquiring flowage rights, advance to or reimburse the said

Secretary of Agriculture sums equal to those that would otherwise be used for the purchase of easements desired by the War Department and the Secretary of Agriculture is authorized to use these sums for the purpose of acquiring properties in the floodways in question." (Sec. 12)

(14) Flood Control Act of 1936

"An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes." (June 22, 1936, c. 688, 49 Stat. 1570, 33 U.S.C.A. 701 seq.)

- (1) Provides that "Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department". (Sec. 2)
- (2) Provides that "Federal investigations of watersheds and measures for run-off and waterflow retardation and soil erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture". (Sec. 2)
- (3) No money appropriated under the Act may be expended on the construction of any project until the State or political subdivisions concerned have given certain designated assurances satisfactory to the Secretary of War. (Sec. 3)
- (4) The consent of Congress is given to any two or more States to enter into compacts in connection with any project authorized by the Act. (Sec. 4)
- (5) The Act authorizes a long series of projects to be prosecuted under the direction of the Secretary of War. (Sec. 5)
- (6) The Act designates a long list of localities at which the Secretary of War is "Directed to cause preliminary examinations and surveys for flood control", and the Secretary of Agriculture is "directed to cause preliminary examinations and surveys for run-off and waterflow retardation and soil erosion prevention on the watersheds". (Sec. 6)
- (7) Appropriates \$310,000,000 to carry out the projects and also \$10,000,000 to be expended in equal amounts by the Departments of War and Agriculture for carrying out the examinations and surveys provided for in the Act. Not more than \$50,000,000 of the sum appropriated may be expended during the fiscal year ending June 30, 1937. (Sec. 9)